Confirmation No.: 9101

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 09/975,168

Applicant(s): Thomas L. Weaver et al.

Filed: October 11, 2001

Art Unit: 2633

Examiner: Nathan M. Curs

Title: CLOSED-LOOP OPTICAL NETWORK SYSTEM

AND AN ASSOCIATED TRANSCEIVER AND METHOD

FOR TRANSMITTING A PLURALITY OF OPTICAL SIGNALS

Docket No.: 038190/239642

Customer No.: 00826

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES (37 C.F.R. § 43.31)

 $Applicant in the above-identified patent application hereby appeals to the Board of Appeals and \\ Interferences from the decision dated January 11, 2006, rejecting the following Claims 1 <math>-26$ .

The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

Applicant claims small entity Status.

A check is enclosed.
(\$500.00 for large entity fee or \$250.00 if small entity status)

Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee (\$500.00).

Any additional fee or refund may be charged to our

Deposit Account No. 16-0605.

A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

Respectfully submitted,

Andrew T. Spence Registration No. 45,699

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Via E-Filing May 11, 2006